

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DEBRA HORN,  
Plaintiff,

v.

SAFEWAY INC.,  
Defendant.

Case No. 19-cv-02488-JCS

**ORDER GRANTING IN PART AND  
DENYING IN PART MOTION TO  
COMPEL**

Re: Dkt. No. 27

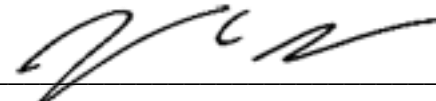
The parties filed a joint letter dated March 4, 2020 in which plaintiff sought additional documents, and responses to interrogatories. GOOD CAUSE APPEARING, the Court rules as follows:

1. The motion to compel further production in response to RFP 5 is **DENIED** as not relevant to the issues in this case.
2. The motion to compel further production in response to RFP 9 is **DENIED** as not relevant to the issues in this case.
3. The motion to compel further production in response to RFP 29-54 is **GRANTED IN PART**. Defendant shall produce native format files of the emails at issue, with metadata, or, alternatively, pdf files with accompanying searchable text files and metadata.
4. The motion to compel further response to interrogatory No. 1 is **GRANTED IN PART**: For each shoplifting incident at the Dublin store in which the police were called, from January 1, 2017 to present, state: 1) the date of the incident 2) who contacted the police, and 3) whether prior authorization was received from a manager to call the police.
5. The motion to compel further response to interrogatory Nos. 2 and 3 is **DENIED**. No. 2 is premature, and No. 3 is not relevant.

6. The motion to compel further response to interrogatory No. 4 is **DENIED** without prejudice if there is evidence that defendant has not preserved information or documents.
7. The motion to compel further response to interrogatory Nos. 5-8 is **GRANTED IN PART**. Defendant shall answer these interrogatories in full one (1) week before the non-expert discovery cut off.
8. The motion to compel further response to FRA 43 is **DENIED**.
9. The motion to compel further responses to FRPs 58 and 59 is **DENIED** for failure to meet and confer.

**IT IS SO ORDERED.**

Dated: March 12, 2020



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JOSEPH C. SPERO  
Chief Magistrate Judge